

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

AMON W. PERSHALL,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. CIV-13-626-M
	)	
GENE CAIN,	)	
CADDO COUNTY SHERIFF,	)	
	)	
Respondent.	)	


**ORDER**

On June 28, 2013, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation in this action. The Magistrate Judge recommends that petitioner's petition for a writ of habeas corpus be DISMISSED upon filing as unexhausted. The parties were advised of their right to object to the Report and Recommendation by July 18, 2013. Petitioner's objection was filed on July 10, 2013.

Upon de novo review of this matter, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on June 28, 2013; and
- (2) DISMISSES Petitioner's Petition for a Writ of Habeas Corpus [docket no. 1] for failure to exhaust.

**IT IS SO ORDERED this 12th day of July, 2013.**

  
VICKI MILES-LaGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE